

13 MCCLEARY,

No. C 04-4851 JSW (MEJ)

14 Plaintiff,

15 vs.

16 UNITED STATES OF AMERICA,

17 Defendant.

**ORDER VACATING THE SETTLEMENT
CONFERENCE ON NOVEMBER 21, 2005**

**MOTION TO ENFORCE THE
AGREEMENT TO BE HEARD ON
NOVEMBER 17, 2005**

20 On August 29, 2005, the Honorable Jeffrey S. White referred this matter for the purposes of
21 determining the terms of the binding settlement reached and placed on the record on May 26, 2005.
22 This Court construes this matter as a Motion to Enforce the Agreement. Accordingly, the Court
23 hereby vacates the November 21, 2005, settlement conference and orders the following:

24 1. The Motion to Enforce the Agreement shall be heard on November 17, 2005.
25 2. The parties are hereby ORDERED to obtain a transcript of the May 26, 2005, record.
26 3. Both parties shall submit their positions and letter briefs to this Court, no later than
27 October 27, 2005.
28

1 4. Any opposition shall be filed no later than November 3, 2005.
2 **IT IS SO ORDERED.**

3
4 Dated: October 18, 2005
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


MARIA ELENA JAMES
United States Magistrate Judge